

**PUBLIC HEARING AND
TOWN BOARD MEETING
November 18, 2015
7:00 PM**

Supervisor Jamieson opened the meeting 7:05 PM followed by a salute to the flag. Members present: Supervisor Jamieson, Councilman Brischoux*, Councilman Murray, Councilwoman Smith**, Councilman Valentine.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine at 7:06pm to appoint *Claude Brischoux to the Town Board seat vacated by Linda Ranni. Motion carried 3-0.

PUBLIC HEARING ON THE ESTABLISHMENT OF THE WARWICK RIDGE DRAINAGE DISTRICT

The following is the notice as it appeared in the Times Herald Record on November 5, 10 and 18, 2015.

PUBLIC NOTICE

SPECIAL DISTRICT: Order Calling Public Hearing for the Warwick Ridge Drainage District

A regular meeting of the Town Board of the Town of Chester, in the County of Orange, New York, was held at the Town Hall, in said Town, on the 28th day of October, 2015

In the Matter

Of the

**ORDER CALLING PUBLIC HEARING TO BE
HELD ON NOVEMBER 18, 2015**

Establishment of the Warwick Ridge Drainage District in the Town of Chester, in the County of Orange, New York, Pursuant to Article 12 of the Town Law.

WHEREAS, the Town Board of the Town of Chester (the "Town Board" and the "Town", respectively), in the County of Orange, New York, has been presented with a petition by ELIAS MUHLRAD ("EM"), pursuant to Article 12 of the Town Law, to establish a drainage district within the territory described in the petition, with territory is located wholly within the Town (the "District"); and

WHEREAS, EM has requested that Engineering & Surveying Properties, PC, duly licensed engineers of the State of New York (the "Engineers"), prepare a preliminary map and plan showing the boundaries of the proposed drainage district and all drainage structures, pipes, filters and ponds, together with a general description of the proposed drainage system within the proposed drainage district; and

WHEREAS, the boundaries of said district shall incorporate the lands of the approved Warwick Ridge Subdivision in the Town of Chester. The approved subdivision is located on the southern side of Ridge Road, consisting of approximately 29.530 acres of land and identified as Section 17, Block 1, Lot 107.2 on the current Town Tax Map; and

WHEREAS, as provided in said petition, the improvements within the proposed drainage district shall consist of 27 drainage catch basins, underground pipes consisting of approximately 222 lineal feet of 15" HDPE pipe, 538 lineal feet of 18" HDPE pipe, 1303 lineal feet of 24" HDPE pipe, 16 catch basins, 4 flared end sections with rip-rap, 1 wet detention pond, 1 outlet structure, 1 end section with rip-rap and 30 lineal feet of 30" HDPE, 305 lineal feet of 30" HDPE pipe; and

WHEREAS, all costs associated with the construction work for the laying and installing of the improvements within the proposed District shall be paid by EM so that no expense occasioned by the creation of the District shall be levied and collected from the land within the District; and

WHEREAS, it is projected that the annual maintenance for the District as a whole shall be FIVE THOUSAND SIX HUNDRED ONE AND 72/100 (\$5,601.72) DOLLARS per year, which translates to an annual Per Lot maintenance cost of THREE HUNDRED SEVENTY-THREE AND 45/100 (\$373.45) DOLLARS per year.

NOW, THEREFORE, BE IT HEREBY ORDERED, that a meeting of the Town Board of the Town be held at the Chester Senior Center, 1784 Kings Highway, Chester, NY 10918, in the Town, on the 18th day of November, 2015, at 7PM to consider said establishment of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and

BE IT FURTHER ORDERED, that the Town Clerk publish at least once in the official newspaper of the Town of Chester, and hereby designated as the official newspaper of the Town for such publication, and posted on the signboard of the Town, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

**BY ORDER OF
THE TOWN BOARD
TOWN OF CHESTER**

**LINDA A. ZAPPALA
TOWN CLERK**
Dated: October 28, 2015

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilman Murray to open the public hearing on the establishment of the Warwick Ridge Drainage District. Motion carried 4-0.

Being there was no public comments, **A MOTION WAS MADE BY** Councilman Murray and seconded by Councilman Valentine to close the public hearing at 7:15pm. Motion carried 4-0.

BUDGET 2016

Supervisor Jamieson commented that the 2016 budget for the Town of Chester is complete and the overall tax increase is set at .67%. The Town was able to stay under the tax cap by using unexpended funds resulting from increased revenue and decreased expenses along with a saving of \$180,000 due to a bond refinance in 2015. **A MOTION WAS MADE BY** Councilman Murray and seconded by Councilman Valentine. Motion carried 4-0.

APPROVAL OF MINUTES

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilman Murray to accept the Town Board Minutes through November 4, 2015. Motion carried 4-0.

FOX HILL ROAD DEDICATION

Supervisor Jamieson advised the Board that the Fox Hill Road dedication is subject to a maintenance bond of \$43,500 along with deeds of dedication and title policies suitable to our Town Attorney. Scott Bonacic said he would be in touch with the developer to get this in order.

WALTON LAKE WATER DISTRICT TANK PROJECT

THE FOLLOWING RESOLUTION WAS OFFERED BY Councilman Valentine and seconded by Councilman Brischoux and carried 4-0 to approve the change order and allow Supervisor Jamieson to sign same in regard to extending the time schedule by 120 days for the completion of the contract terms with Statewide Aquastore for the replacement of the water tank in the Walton Lake Water District.

TOWN OF CHESTER
RESOLUTION

WHEREAS the Town Board of the Town of Chester proposes to replace the water tank in the Walton Lake Water District and has awarded the project to Statewide Aquastore.

IT IS RESOLVED that the Supervisor is authorized to sign the Change Order extending the time schedule by 120 days for the completion of the contract.

ALEX JAMIESON, SUPERVISOR
TOWN OF CHESTER

DATE

WALTON LAKE TANK BOND FUNDING EXPENSES

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Brischoux to approve the payment of \$2,772.50 to Hawkins, Delafield & Wood as bond counsel in connection with the Walton Lake Tank Bond Funding. Motion carried 4-0.

**Councilwoman Smith arrived at 7:20pm.

A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Murray to approve the payment of \$750.00 to Munistat as financial advisor in connection with the Walton Lake Tank Bond Funding. Motion carried 5-0. **THE FOLLOWING RESOLUTION WAS OFFERED BY** Councilman Murray and seconded by Councilman Brischoux and passed unanimously.

A RESOLUTION DETERMINING THE ENVIRONMENTAL NON-SIGNIFICANCE UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW LAW RELATING TO THE FORMATION OF THE WARWICK RIDGE DRAINAGE DISTRICT

The Town Board of the Town of Chester, duly convened in regular session, does hereby resolve as follows:

Pursuant to, and in accordance with, the provisions of section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR part 617) the Town Board of the Town of Chester hereby makes the following determinations and classifications with respect to the proposed formation of the Warwick Ridge Drainage District, encompassing approximately 30.1 acres of land located on the south side of Ridge Road in the Town of Chester and further identified as Section 17, Block 1, Lot 107.2 (hereinafter referred to as the "Action").

1. The Town Board of the Town of Chester (hereinafter referred to as "Town Board") hereby determines that the Action is subject to SEQRA.
2. The Town Board hereby determines that the Action does not involve a Federal agency, and does not involve other agencies.
3. The Town Board hereby makes a preliminary classification of the Action as an Unlisted Action.
4. The Town Board hereby finds and determines that it is, and will be, the lead agency with respect to the adoption of, and approval of, the above-described Action.
5. The Town Board hereby finds and determines that: (a) it has considered the Action, reviewed the short environmental assessment form, reviewed the criteria set forth in 6 NYCRR section 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential project environmental impacts and their magnitude in connection with the proposed Action; (b) the project (to wit, the formation of the Warwick Ridge Drainage District) will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment; and (c) the reasons supporting this determination are set forth on the Short Environmental Assessment Form with

respect to this project (a copy of which said form is on file in the Office of the Town Clerk of the Town of Chester).

6. The Town Board, as Lead Agency with reference to the above-described project, hereby:

(a) adopts a negative declaration pursuant to 6 NYCRR section 617.7 with respect to the project, (b) authorizes the Supervisor of the Town of Chester to sign a negative declaration determination of non-significance with respect to the project, and (c) authorizes the Town Clerk of the Town of Chester to forward a copy of said negative declaration determination of non-significance to the New York State Department of Environmental Conservation, Town of Chester Planning Board, Town of Chester Zoning Board of Appeals, Building and Code Inspector of the Town of Chester, Orange County Planning Department, New York State Commissioner of Agriculture and Markets, and New York State Office of Parks, Recreation and Historic Preservation.

7. This Resolution shall take effect immediately.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to authorize Supervisor Jamieson to sign the State Environment Quality Review Negative Declaration Notice of Determination of Non-Significance regarding the Warwick Ridge Drainage District. Motion carried 5-0.

WARWICK RIDGE SUBDIVISION IMPROVEMENT LETTER OF CREDIT

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to accept the Letter of Credit in the amount of \$170,755.00 issued by Wallkill Valley Federal Savings & Loan for the Warwick Ridge Subdivision. Motion carried 5-0.

WARWICK RIDGE DRAINAGE DISTRICT FORMATION

THE FOLLOWING RESOLUTION WAS OFFERED BY Councilman Murray and seconded by Councilwoman Smith and approved unanimously.

SPECIAL DISTRICT: Order Establishing the Warwick Ridge Drainage District

A regular meeting of the Town Board of the Town of Chester, in the County of Orange, New York, was held at the Chester Senior Center, in said Town, on the 18th day of November, 2015

PRESENT:

In the Matter

of the

Establishment of the Warwick Ridge
Drainage District in the Town of Chester,
in the County of Orange, New York,
Pursuant to Article 12 of the Town Law.

**ORDER AND RESOLUTION APPROVING ESTABLISHMENT
OF WARWICK RIDGE DRAINAGE DISTRICT IN THE TOWN OF CHESTER**

WHEREAS, the Town Board of the Town of Chester (herein called the “Town Board” and “Town,” respectively), in the County of Orange, New York, has received a petition, dated October 14, 2015, pursuant to section 191 of the Town Law, for the establishment of Warwick Ridge Drainage District (the “District”), which petition was signed by the owner of taxable real property situate in the District, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the District, as shown upon the latest completed assessment roll of the Town, and there being no taxable real property in the Proposed District owned by resident owners according to the latest completed assessment rolls and was accompanied by a map, plan and report by Ross Winglovitz of Engineering & Surveying Properties, a competent engineer duly licensed by the State of New York, for the establishment of the District dated October, 2015, a copy of which is on file in the office of the Town Clerk of the Town, which shows the boundaries of the proposed drainage district and all drainage structures, pipes, filters and ponds, together with a general description of the proposed drainage system within the proposed drainage district, and

WHEREAS, the boundaries of said district shall incorporate the lands of the approved Warwick Ridge Subdivision in the Town of Chester. The approved subdivision is located on the southern side of Ridge Road, consisting of approximately 29.530 acres of land and identified as Section 17, Block 1, Lot 107.2 on the current Town Tax Map; and

WHEREAS, as provided in said petition, the improvements within the proposed drainage district shall consist of 27 drainage catch basins, underground pipes consisting of approximately 222 lineal feet of 15” HDPE pipe, 538 lineal feet of 18” HDPE pipe, 1303 lineal feet of 24” HDPE pipe, 16 catch basins, 4 flared end sections with rip-rap, 1 wet detention pond, 1 outlet structure, 1 end section with rip-rap and 30 lineal feet of 30” HDPE, 305 lineal feet of 30” HDPE pipe; and

WHEREAS, all costs associated with the construction work for the laying and installing of the improvements within the proposed District shall be paid by the Developer so that no expense occasioned by the creation of the District shall be levied and collected from the land within the District; and

WHEREAS, it is projected that the annual maintenance for the District as a whole shall be FIVE THOUSAND SIX HUNDRED ONE AND 72/100 (\$5,601.72) DOLLARS per year, which translates to an annual Per Lot maintenance cost of THREE HUNDRED SEVENTY-THREE AND 45/100 (\$373.45) DOLLARS per year.

WHEREAS, pursuant to the Order duly adopted on October 28, 2015, the Town Board has determined to proceed with the establishment of the proposed District and adopted an Order reciting a description of the boundaries of the District in a manner sufficient to identify the lands included therein, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying November 18, 2015, at 7:00 o'clock P.M. (Prevailing Time) as the time when, and the Chester Senior Center, in the Town, as the place where, the Town Board would meet to consider the Establishment of the District, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of the Town Law, and mailed to all owners of real property situate in said District; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said November 18, 2015, commencing at 7:00 o'clock P.M. (Prevailing Time), at said Senior Center, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed District.

NOW, THEREFORE, upon the evidence adduced at such Public Hearing, be it

RESOLVED AND ORDERED BY THE TOWN BOARD OF THE TOWN OF CHESTER, IN THE COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

(a) the Notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;

(b) all the property and property owners included within the proposed District hereinabove referred to in the recitals hereof are benefited thereby;

(c) all the property and property owners benefited are included within the limits of the proposed District; and

(d) it is in the public interest to establish the District.

Section 2. The establishment of the District is hereby approved, as hereinafter described, and said District shall be designated and known as the Warwick Ridge Drainage District in the

Town of Chester, and shall be bounded as described on Appendix A attached hereto.

Section 3. The plan of financing to finance said cost includes the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same.

Section 4. The permission of the State Comptroller is not required with respect to the District because the estimated cost of the District to the Typical Property (as defined in the Town Law) is not above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts, as computed by the State Comptroller.

Section 5. The Town Clerk of the Town is hereby authorized and directed within ten (10) days after the adoption of this Resolution and Order, to file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, and record the same in the office of the Clerk of the County in which the Town is located.

Section 6. This Resolution and Order shall take effect immediately.

DATED: November 18, 2015

TOWN BOARD OF THE TOWN OF CHESTER

(SEAL)

Supervisor Jamieson

Councilperson Murray

Councilperson Valentine

Councilperson Smith

Councilperson Brischoux

PURCHASE OF 2016 FORD POLICE INTERCEPTOR UTILITY

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilman Murray to approve the payment of \$28,984.65 for the purchase of a 2016 Ford Police Interceptor Utility AWD police vehicle as approved during the budget workshop on September 24, 2015. Motion carried 5-0.

LIBRARY

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilman Murray to approve the appointment of Gavin O’Conner as Library Page. Motion carried 5-0.

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to approve the canvassing for a part-time assistant librarian. Motion carried 5-0.

A MOTION WAS MADE BY Councilman Brischoux and seconded by Councilman Murray to approve the hiring of a part-time library clerk. Motion carried 5-0.

DELINQUENT PROPERTY MAINTENANCE LEVIES

A MOTION WAS MADE BY Councilman Murray and seconded by Councilman Valentine to approve the levy of \$1,240.63 for delinquent property maintenance expenses to the following 2016 Town tax bills.

SBL 15-3-47	148 Beverly Road	\$ 100.00
SBL 15-3-36	101 Beverly Road	100.00
SBL 5-1-16	11 Booth Road	1,040.63

Motion carried 5-0.

STORMWATER CONTROL FACILITY MAINTENANCE AGREEMENT

A MOTION WAS MADE BY Councilman Valentine and seconded by Councilman Murray to enter into a Stormwater Control Facility Maintenance Agreement with Suresky & Sons, and allow Supervisor Jamieson to sign same. Motion carried 5-0.

TOWN BOARD COMMENTS

Councilman Valentine commented that the draft parking regulation is more flexible as it allows for handicap parking on the street. He said that the objective was to make all the pre-existing businesses use all the street parking within the hamlet and not be deficient for parking requirements. New buildings and major modifications of pre-existing would require some parking requirements whether leased or the use of other parking, subject to Planning Board approval. He said the code is being made as liberal as possible. Supervisor Jamieson said the code would require a 200 feet buffer on either side of a new building for parking. Councilman Valentine added that the draft is a work in progress.

Attorney Bonacic advised the Town not to move too quickly to make changes as it can cause long-term problems. He said the Town should take the time to do it right. He advised the Board to look at it from multiple angles and not rush to conclude the process.

Councilwoman Smith asked if a work session could be scheduled. Nick Zungoli said Sugar Loaf is the only business district in the Town and should have parking regulations that encourage business to grow in the area.

Councilman Murray said a committee with two Board members would be appropriate. Supervisor Jamieson said he and Councilman Valentine would meet with Richard Logothetis and Al to develop the regulation. Councilman Valentine added that he thought it should be kept as simple as possible.

PUBLIC COMMENTS

Shari Denes, Sugar Loaf

Ms. Denes asked the Board why they would consider dedicating Fox Hill as it is still under construction. Supervisor Jamieson said that each development is looked at case by case. He said that the Town doesn't rush into taking over roads, but this development is not that large. Councilman Valentine added that in his experience roads are almost always dedicated ahead of subdivision completion. He said the current homeowners would be paying taxes for service they are not receiving until the road is dedicated.

There being no further business brought before the Board, **A MOTION WAS MADE BY** Councilman Murray and seconded by Councilman Brischoux to adjourn the meeting at 7:50pm. Motion carried 5-0.

Respectfully submitted,

Linda A. Zappala
Town Clerk
2015-11-18